

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICKY KALEO ONAALII MANUEL,)

Plaintiff,)

vs.)

NORTH LAS VEGAS COMMUNITY)
 CORRECTIONAL CENTER, *et al.*,)

Defendants.)

Case No.: 2:21-cv-01668-GMN-BNW


ORDER

On April 14, 2022, the Court entered an Order dismissing the case, and on April 15, 2022, the Court entered a Judgment against Plaintiff-Appellant Ricky Kaleo Onaalii Manuel (“Plaintiff-Appellant”). (*See* Order, ECF No. 11; Judgment, ECF No. 12). On April 25, 2022, the Court was notified that the mail addressed to Plaintiff-Appellant containing the Order and Judgment was returned as undeliverable. (*See* Minute Order, ECF No. 13). On August, 22, 2022, Plaintiff-Appellant filed a Notice of Appeal as to the Order and Judgment.

On October 19, 2022, the Ninth Circuit Court of Appeals (“Circuit Court”) construed Plaintiff-Appellant’s pro se Notice of Appeal as a Motion to Reopen the Time for Appeal pursuant to Federal Rule of Appellate Procedure 4(a)(6). (*See* Circuit Court Order at 1, No. 22-16286, ECF No. 7). The Circuit Court noted that although the Notice of Appeal was untimely, Plaintiff-Appellant alleged that he did not receive timely notice of entry of judgment. (*Id.*) This Court must now rule on the Motion to Reopen the Time for Appeal.

The Court recognizes that Plaintiff-Appellant’s failure to receive the Order and Judgment prevented him from timely filing a Notice of Appeal. Accordingly,

IT IS HEREBY ORDERED that the Motion to Reopen the Time for Appeal is **GRANTED**.


Gloria M. Navarro, District Judge
United States District Court